

ROUTING AND TRANSMITTAL SLIP

Date

1/10/92

TO: (Name, office symbol, room number, building, Agency/Post)

Initials

Date

1. L. Soalis 312023 LJ 1/14
2. W. Wise 312020 JW 1/14
3. R. Starkey 3HW34 RS 1/22
4. V. Zennaro 3HW32 VZ 1/22
5. D. Carney 3HW30 DC

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

APCC NOV Pennzoil

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

XK253

5041-100

U.S. GPO: 1990-254-313

OPTIONAL FORM 41 (Rev. 7-76)

Prescribed by GSA
FPMR (41 CFR) 101-11.206



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ORIGINAL
RECEIVED

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

OVERNIGHT AND CERTIFIED MAIL

James L. Pate
President
Pennzoil Products Company
700 Milam, Pennzoil Place
P.O. Box 2961
Houston, Texas 77252-2967

Re: Notice of Violation and Proposed Civil Penalty SPCC
Docket No. WV-89-009

Dear Mr. Pate:

Enclosed find a **NOTICE OF VIOLATION AND PROPOSED CIVIL PENALTY** ("NOV") concerning violations of regulations found at 40 C.F.R. Part 112 (promulgated pursuant to Section 311(j) of the Clean Water Act, as amended (saved pursuant to Section 6001(d)), 33 U.S.C. § 1321(j)), at the Pennzoil Products Company Etowah Terminal in Charleston, West Virginia. EPA has proposed a civil penalty of \$14,400.00 for violations described in the NOV. The NOV is based in part on evidence obtained during an inspection of the facility on August 1, 1989. You should carefully read this document to determine your rights and obligations.

If you wish to exercise your right to a hearing, a Request for Hearing must be filed within thirty (30) days of your receipt of this NOV. The Request for Hearing must, among other things, state with particularity the issues to be raised at such hearing. Failure to submit a Request for Hearing shall result in the filing of a Motion for Default Order and possible issuance of a Default Order imposing the penalty proposed in the NOV without further proceedings.

You have a right to present written explanations, information, or any materials in answer to the charges or in mitigation of the penalty, or bearing on your efforts to achieve compliance after receipt of this NOV. You may also request an informal settlement conference to discuss resolution of this case. A request for such settlement conference may be included in your Request for Hearing or you may contact the following person:

Judith R. Hykel (3RC23)
Assistant Regional Counsel
U.S. EPA Region III
841 Chestnut Building
Philadelphia, PA 19107

100-443881-115

Dennis P. Carney
Chief
Superfund Removal Branch

cc: Regina A. Starkey (3HW32)
Judith R. Hykel (3RC23)